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TAGS: [PHUM](#) [PGOV](#) [ELAB](#) [KTIP](#) [JO](#)
SUBJECT: JORDAN: LABOR LAW AMENDMENTS NOT INCLUDED ON
EXTRAORDINARY SESSION AGENDA

REF: A. AMMAN 1339
[1](#)B. AMMAN 1007
[1](#)C. AMMAN 706
[1](#)D. AMMAN 378
[1](#)E. AMMAN 230
[1](#)F. 08 AMMAN 2206
[1](#)G. 08 AMMAN 2171

Classified By: Ambassador R. Stephen Beecroft for reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: Amendments to Jordan's labor law to give foreign workers the ability to more freely join unions and bring the law in line with international standards were unexpectedly left off of parliament's extraordinary session agenda. The cabinet had already approved the amendment package and high-level officials stated it would be "at the top" of the agenda. The inability of the Ministry of Labor (MOL) to reach a consensus with parliamentarians appears to be the key factor in the amendments' demise. Organizations assisting Jordan with labor reform, however, are relieved the current package was not voted on as it contained such stringent union membership requirements on migrant workers that the majority would be unable to join a union. Post recommends a high-level USG visit on labor issues later in the year to signal the importance of labor reform to all Jordanian interlocutors. End Summary

Background

[1](#)2. (SBU) On May 12, Jordan's cabinet approved a labor law reform package designed to bring the country's labor law in line with international standards. For instance, wage and overtime provisions were revised. Foreign workers were also given the right to join unions, under certain conditions. The labor law amendments have been in the works for over three years. In 2008, the cabinet approved a very similar package but sent only six of 42 amendments to parliament for consideration during their summer extraordinary session. Four amendments passed, including the addition of agriculture and domestic workers under the law, and two were rejected (Ref F). After the rejection of union rights for migrant workers, the Ministry of Labor (MOL) attempted to develop a

compromise position that would satisfy parliamentarians fearful of foreign influence in unions. MOL and other officials stated at the time that the entire package would be ready for parliament's winter 2008/2009 ordinary session, but later declared it would be "at the top" of 2009 summer extraordinary session agenda.

Amendments Again Fail to Make the Agenda

13. (SBU) The omission of the labor law amendments from the extraordinary session agenda caught observers by surprise. For months, senior government officials have told Post the amendments would be on the agenda and cabinet's May 12 approval of the package signaled this would be the case (Ref B). The Minister of State for Media Affairs and Communications was even quoted in local media that they would be "placed atop" parliament's agenda. On June 2, when rumors began circulating of the amendments demise, Emborffs met with new Secretary General of Labor Mazin Odeh Nasser. Having only been in the job for one day, Odeh was unable to substantively discuss the amendments but did indicate they might not make it into the extraordinary session.

14. (C) A few government contacts have speculated that since each Ministry was only allowed to champion one or two bills, the labor law amendments may have been crowded out by other priorities in the MOL, such as the Social Security Law. (Note: Unlike ordinary sessions in which the agenda is set largely by the lower house speaker, the agenda for extraordinary sessions is set by the King. End Note) However, on June 15, a member of parliament (MP) told Poloff that foreigners' membership in labor unions remained a

controversial topic in parliament and suggested that the MOL has not been able to create a consensus among MPs on the proper way forward.

Stringent Requirements for Foreign Workers to Join Unions

15. (C) As currently drafted, foreign workers will need to meet extremely strict requirements in order to join a union. For instance, the migrant worker must have worked legally in Jordan for five years or more and legislation in worker's country of origin must allow Jordanians to join unions, i.e. there must be reciprocity. Several contacts stated this would, in effect, make it impossible for the vast majority of migrant workers to join, with one stating that probably less than one percent of foreign workers in Qualifying Industrial Zones (QIZs) could meet the five-year requirement. Local representatives from the Solidarity Center and International Labor Organization (ILO) believe the required reciprocal legislation is overly stringent and inserted just to limit access, especially considering few, if any, Jordanians are working in places like Bangladesh or Nepal. The ILO representative further stated the ILO will take a harder line and inform the government the requirements are simply unacceptable and a new amendment must be drafted. The final requirement is a special union charter or regulation that will determine rights, such as voting and holding of office, as has been previously indicated by the Minister of Labor (Ref A). A rough, unofficial translation of the amendment giving foreign workers the right to join unions is provided below:

Article 98: The founders of any trade unions or employers' societies must be Jordanian, be at least 25 years, and have no criminal record. However, any worker, who is a member of a trade union must fulfill the following requirements:

- Be at least 18 years of age;
- Have no criminal record;
- If s/he is non-Jordanian, must have worked legally in the Kingdom for a period of not less than five years;
- Legislation in the migrant worker's country of origin must also allow Jordanian workers to join unions;
- Migrant workers must be registered in a special union

register and representation (i.e. union rights) detailed in a special charter.

¶6. (U) Post has received a complete copy of the labor law amendments, in Arabic, approved by Jordan's cabinet and is translating them into English. Once translated, Post will e-mail the proposed amendments to relevant agencies.

Comment

¶7. (C) Comment: Interlocutors had hoped the MOL drafted an amendment that would both appease parliamentarians worried about foreign influence in unions and lead to a step forward in labor reform. This appears not to be the case in both regards. Parliament remains hesitant and the amendment, as drafted, excludes most foreign workers. Stronger external pressures, especially on the GOJ, are now required to underline the importance of labor rights to the international community and private sector investors. A high-level USG visit to Jordan on labor issues, before the fall session of parliament, is recommended. A strong message that the current amendment package is unacceptable and that labor reform remains a top priority for the USG must be delivered. Post, in coordination with other parties, such as the ILO, will also deliver this message to senior officials and, specifically, state that the amendment related to migrant workers and unions must be redrafted before moving forward. End Comment.

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Beecroft